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SECURITY COUNCIL
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Letter dated 7 December 1994 from the Chargé d'affaires a.i. of the Permanent Mission of Bosnia and Herzegovina to the United Nations addressed to the Secretary-General

Having received the report of the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, which was forwarded to the President of the Security Council on 1 December 1994 (S/1994/1372, annex), we deem it absolutely necessary to point out the following:

1. Section VII of the report, entitled "Problems encountered and representations made to the authorities", underlines a number of cases that indicate that the decision by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) on 4 August 1994 to close the border with parts of the Republic of Bosnia and Herzegovina under the control of the so-called "Republic Srpska" has been violated in the period referred to in the report, in particular with regard to the illegal transshipment of fuel.

2. The authorities and Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) as well as certain authorities of the Federal Republics of Serbia and Montenegro do not consistently execute the agreements with the Coordinator of the Conference's Mission and its members.

3. Despite all efforts, the Mission has not been capable of establishing, let alone maintaining, continuous and reliable insight into the level of respect for the proclaimed decision of the Federal Republic of Yugoslavia (Serbia and Montenegro) on the closure of borders with the Republic of Bosnia and Herzegovina, for all shipments except for humanitarian aid goods.

4. The deployment of the Mission has yet to be completed: there are still 50 more monitors to join the Mission while an appropriate number of vehicles is still needed to patrol the border adequately, including even routine control of all registered border crossings.

5. Traffic across the border by military vehicles carrying military personnel wearing uniforms of the Yugoslav army has also been noted by the Co-Chairmen. This occurred immediately prior to the start of the joint offensive by Bosnian Serb and Krajina Serb forces against the Bihac region safe area. This could not have occurred without the knowledge and approval of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro).

6. The above stated compels us to point out that the conclusion reached in section IX of this report that "the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces" is premature and unfounded.

7. The report is also lacking in addressing the requests by the Governments of the Republics of Bosnia and Herzegovina and Croatia, forwarded in letters from their respective Permanent Representatives to the President of the Security Council, in which clarification was sought regarding section IX, entitled "Transit Traffic", of the report of the Co-Chairmen dated 3 November 1994 (S/1994/1246, annex). There is also no mention of the analysis of the first sets of recovered print-outs from the tachometers that were sent to the United Kingdom on 1 November for analysis.

8. We believe that it is indispensable that the Mission and the United Nations High Commissioner for Refugees report as soon as possible on the total amount of fuel delivered for humanitarian purposes for the Krajina Serbs and the Bosnian Serbs, no matter whether they have been carried from the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) or the Republic of Croatia, as well as to specify the purposes for which this fuel was used.

May I ask for your kind assistance in circulating the present letter as a document of the General Assembly, under agenda item 39, and of the Security Council.

(Signed) Ivan Z. MISIĆ
Ambassador and
Deputy Permanent Representative